

P.R. No. 467246
Presented by Shri. S.B. Patel
dated 24/8/06

SINGLE BENCH

22.3.05

(2) (4) CF 1007

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition(s) No. 4637 of 2006.

Petitioner :

J. R. Verma, s/o Late Shri Vishwanath Verma, aged about 57 years, Tahsildar Kasdol, Resident of Kasdol Distt. Raipur (Chhattisgarh).

VERSUS

Respondents :

1. State of Chhattisgarh
Through Secretary, Department of Revenue, Mantralaya, DKS Bhawan, Raipur (Chhattisgarh)
2. Collector, Raipur
Distt. Raipur (Chhattisgarh)
3. Collector, Janjgir-Champa
Distt. Janjgir-Champa (Chhattisgarh)

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24/08/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT, ORDER OR DIRECTION ETC.

मामला क्रमांक W.P.(S).4637 सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	30-8-2006 Mr. Sanjay K. Agrawal, counsel for the petitioner. Mr. Sumesh Bajaj, Government Advocate for the State/respondents, on advance copy. Heard both the counsel. By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his transfer order dated 17th August, 2006 (Annexure P-9) passed by respondent No.1, whereby he has been transferred from Kasdol to District: Janjgir-Champa. The petitioner is working as Tehsildar. The case of the petitioner is that he has been transferred within a period of one year five months, as he was earlier transferred vide order dated 16-1-2004 (Annexure P-7) from Abhanpur to Kasdol. Further case of the petitioner is that his wife is suffering from mental ailment and she is taking treatment at Raipur. There is no such facility available in Janjgir, as such, the transfer is punitive in nature and the petitioner is subjected to transfer almost every year. In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 and respondent No.1 be directed to decide the same to which learned counsel appearing for the State/respondents has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances, annexing a copy of this writ petition and its annexures to respondent No.1 within 10 days from	

P.T.O.

मामला क्रमांक WP(S) 4637 सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

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Soma	today and in turn, respondent No.1 is directed to decide the representation of the petitioner within a period of 30 days from the date of its receipt, after considering the objections raised by the petitioner in an objective manner, in accordance with law. In the mean time, till the representation of the petitioner is decided, the effect and operation of the impugned order (Annexure P-9) in respect of the petitioner shall remain stayed. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3581/2006 also stands disposed of. Parties are entitled for certified copy of this order.	Sd/- L.C.Bhadoo Judge

P.T.O.

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4.9.06